IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 18841 of 2004

Between:

T. Appa Rao, E. 450811, S/o Late Kondaiah, aged 47 years,
R/o RTC Colony, Rajole Panchayat, Srikakulam District.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corporation, Musheerabad,

Hyderabad, Rep. by its Vice Chairman & Managing Director.
2 The Regional Manager, APSRTC, Srikakulam Region, Srikakulam.
3 The Depot Manager, APSRTC, Srikakulam Depot, Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order direction or writ particularly one in the nature of writ Mandamus or any other appropriate writ the action of the respondents in retiring the petitioner from service vide proceedings deleting the name of the petitioner vide proceedings No. P1/468(2)/2004-SKLM-II dated 30-4-2004 without following the provisions under Section 47 of Act 1 of 1996 is illegal and arbitrary and consequently direct the respondent-Corporation to continue the petitioner in service with same scale of pay and other service benefits.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents: KUM.B.G.UMA DEVI

The Court at the admission stage made the following:

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ORDER:

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The petitioner contends that he was retired on medical invalidation. He further contends that he is entitled to be considered for alternative employment under Section 47 (1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short “the Act”). Since the respondents did not consider his case under Section 47 (1) of the Act, he approached this Court through this writ petition, seeking a direction to the respondents to consider his case.

2. In the light of the submissions made by the petitioner, the respondents are directed to pass appropriate orders regarding the request of the petitioner for alternative employment under Section 47 (1) of the Act, within a period of 2 (two) months from the date of receipt of a copy of this order.

3. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Vice Chairman & Managing Director,

APSRTC, Musheerabad, Hyderabad

2. The Regional Manager, APSRTC,

Srikakulam Region, Srikakulam

3. The Depot Manager, APSRTC,

Srikakulam Depot, Srikakulam

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